

AO 91 (Rev. 08/09) Criminal Complaint

## UNITED STATES DISTRICT COURT

for the

Northern District of Oklahoma

United States of America  
v.

RANDY JAMES SHELL

*Defendant(s)*

Case No.

20-mj-184-PJC

FILED

JUL 17 2020

Mark C. McCartt, Clerk  
U.S. DISTRICT COURT

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 07/17/2020 in the county of Tulsa in the  
Northern District of Oklahoma, the defendant(s) violated:

<i>Code Section</i>	<i>Offense Description</i>
18 U.S.C. §§ 1151, 1153, and 113 (a)(8), and	Assault by Strangulation
18 U.S.C. §§ 1151, 1153, and 1201 (a)(2)	Kidnapping

This criminal complaint is based on these facts:

See Attached Affidavit

☒ Continued on the attached sheet.
  
 Complainant's signature
Christopher McCarthy, Special Agent  
Printed name and title

Sworn to before me and signed in my presence.

Date:

by telephone  
7/17/2020
  
 Judge's signature

City and state:

Tulsa, OK

Paul J. Cleary United States Magistrate Judge  
Printed name and title

**AFFIDAVIT IN SUPPORT OF AN ARREST WARRANT IN THE NORTHERN**

**DISTRICT OF OKLAHOMA**

I, Christopher McCarthy being duly sworn under oath, do hereby depose and state:

**INTRODUCTION**

1. I have been employed as a Special Agent of the Federal Bureau of Investigation (FBI) in Tulsa, Oklahoma, since November 2019. As a result of my employment with FBI, my duties include, but are not limited to, the investigation and enforcement of Title 18, of the United States Code (U.S.C.). I am an “investigative or law enforcement officer of the United States” within the meaning defined in 18 U.S.C. § 2510(7), in that I am an agent of the United States authorized by law to conduct investigations of, and make arrests for, federal offenses.

2. As part of my duties as an FBI agent, I investigate criminal violations relating to Crime in Indian Country, to include Assault by Strangulation in violation of 18 U.S.C. §§ 1151, 1153, and 113(a)(8), and Kidnapping in violation of 18 U.S.C. §§ 1151, 1153, and 1201(a)(2). I have received training in the area of Violent Crime in Indian Country.

3. It is my belief that **RANDY JAMES SHELL (DOB: \*\*/\*\*/1984)**, an enrolled member of the Creek Nation, violated 18 U.S.C. §§ 1151, 1153, and 113(a)(8) (Assault by Strangulation), and 18 U.S.C. §§ 1151, 1153, and 1201(a)(2) (Kidnapping), on or about May 26, 2020, when he strangled and kidnapped his intimate partner, L.G., in Indian Country in the Northern District of Oklahoma.

**THE SOURCE OF MY INFORMATION AND GROUNDS FOR MY BELIEFS  
ARE AS FOLLOWS:**

4. On or about May 26, 2020, at approximately 12:25 a.m., Tulsa Police Officers responded to a report of domestic assault in progress at 3019 South Norwood Avenue, Tulsa, Oklahoma 74114 which is within the boundaries of the recently determined Creek Nation reservation in the Northern District of Oklahoma. Upon arrival, the first officer on the scene made contact with the victim's mother, M.M. M.M. led the officer to her apartment. She told the officer her daughter, L.G., was being beaten up by L.G.'s boyfriend, Randy SHELL.

5. The Tulsa Police officer found SHELL and L.G. in the back bedroom. The door was shut and barricaded. The officer announced that he was a Tulsa Police officer. He then told SHELL to open the door and come out and talk. SHELL refused. The officer confirmed that L.G. was in the bedroom, and then told SHELL to let her come out of the room. SHELL refused. The officer began to hear noises that caused him to believe L.G. was in distress. He forced open the door to the bedroom and came into contact with SHELL who was trying to hold the door closed. The officer grabbed SHELL around the shoulders and upper torso. SHELL fought the officer. A second officer arrived and told SHELL to comply or he would be tased. SHELL kept fighting. The second officer tased SHELL with little effect. SHELL continued to fight the officers until an additional officer arrived and they were able to handcuff SHELL. The officers then stood SHELL up and tried to put him in a corner. He kept trying to fight the officers and tried to head butt and kick a third officer. One of the kicks did hit the officer in the leg, but it did not cause injury. Officers

took SHELL to the ground again and kept him there until he calmed down enough to be taken to jail.

6. The first responding officer took statements from L.G. and M.M. after SHELL was arrested. L.G. told the officer that during the day of May 25, 2020, SHELL and L.G. were hanging out together at the apartment. SHELL was drinking most of the day. They ate dinner and then SHELL tried to convince L.G. to go out. L.G. told SHELL she was not leaving. SHELL then tried to take L.G.'s car keys. L.G. refused to give the keys to SHELL. SHELL grew violent. SHELL grabbed L.G., pushed her against the wall, and strangled her by putting his hands around her neck until she blacked out and urinated herself.

7. L.G. said she regained consciousness and witnessed SHELL grab M.M.'s small dog and abuse it. SHELL shook the dog violently, beat it, and threw the dog against the wall/door. SHELL then walked out of the apartment for a few minutes. While outside, L.G. and M.M. locked the door.

8. L.G. told the officer that SHELL returned and kicked in the front door. SHELL walked inside, grabbed L.G. and pulled her to into a bedroom in the home. SHELL closed and barricaded the door. SHELL then proceeded to strangle L.G. again. L.G. called out for M.M to call 911. L.G. was held in the room against her will until the Tulsa Police officers arrived.

9. SHELL is an enrolled member of the Creek Nation.

**RELEVANT STATUTES**

**10. 18 U.S.C. § 1151 provides:**

Except as otherwise provided in sections 1154 and 1156 of this title, the term “Indian country”, as used in this chapter, means (a) all land within the limits of any Indian reservation under the jurisdiction of the United States Government, notwithstanding the issuance of any patent, and, including rights-of-way running through the reservation, (b) all dependent Indian communities within the borders of the United States whether within the original or subsequently acquired territory thereof, and whether within or without the limits of a state, and (c) all Indian allotments, the Indian titles to which have not been extinguished, including rights-of-way running through the same.

**11. 18 U.S.C. § 1153(a) provides:**

Any Indian who commits against the person or property of another Indian or other person any of the following offenses, namely, murder, manslaughter, kidnapping, maiming, a felony under chapter 109A, incest, a felony assault under section 113, an assault against an individual who has not attained the age of 16 years, felony child abuse or neglect, arson, burglary, robbery, and a felony under section 661 of this title within the Indian country, shall be subject to the same law and penalties as all other persons committing any of the above offenses, within the exclusive jurisdiction of the United States.

**12. 18 U.S.C. § 113(a)(8) provides:**

(a) Whoever, within the special maritime and territorial jurisdiction of the United States, is guilty of an assault shall be punished as follows:

(8) Assault of a spouse, intimate partner, or dating partner, by strangling, suffocating, or attempting to strangle or suffocate, by a fine under this title, imprisonment for not more than 10 years, or both.


13. 18 U.S.C. § 1201 provides:

(a) Whoever unlawfully seizes, confines, inveigles, decoys, kidnaps, abducts, or carries away and holds for ransom or reward or otherwise any person, except in the case of a minor by the parent thereof, when-

(2) any such act against the person is done within the special maritime and territorial jurisdiction of the United States.

**CONCLUSION**

15. Based on the information set forth in this affidavit, I submit there is probable cause to believe that **RANDY JAMES SHELL** has violated 18 U.S.C. §§ 1151, 1153, 113(a)(8), and 1201(a)(2) in Indian Country in Tulsa Oklahoma, Oklahoma, in the Northern District of Oklahoma.

  
CHRISTOPHER MCCARTHY  
SPECIAL AGENT  
FEDERAL BUREAU OF INVESTIGATION

*67 telephone*  
Subscribed and sworn to before me on the 17th day of July, 2020.

  
PAUL J. CLEARY  
UNITED STATES MAGISTRATE JUDGE  
NORTHERN DISTRICT OF OKLAHOMA